

REMARKS

The present amendment is in response to the Office Action, dated February 17, 2004, where the Examiner has rejected claims 1-10, 15-23 and 25, and has allowed claims 11-14, 24 and 26-30. Applicant acknowledges and appreciates the Examiner's statement regarding allowance of claims 11-14, 24 and 26-30.

By the present amendment, claims 5 and duplicate claims 21 have been cancelled, claims 1, 22, 23 and 25 have been amended, and new claims 31-34 have been added. After the present amendment, claims 1-4, 6-20 and 22-34 are pending in the application. Reconsideration and allowance of the pending claims in view of the following remarks are respectfully requested.

A. Objection to the Specification

The Examiner has objected to various minor informalities in the specification. By the present amendment, applicant has amended the specification, as shown above, and respectfully submits that the Examiner's objection has been overcome.

B. Rejection of Claims 1-10 and 15-24 under the Judicially Created Doctrine of Obviousness-Type Double Patenting

The Examiner has rejected claims 1-10 and 15-24 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-7, 9-11, 15, 16 and 18 of co-pending Application Serial No. 10/135,708, assigned to the assignee of the present application, ESS Technology, Inc. Along with the present amendment, applicant has submitted a terminal disclaimer to overcome the Examiner's rejection under the judicially created doctrine of obviousness-type double patenting with respect to claims 1-7, 9-11, 15, 16 and 18 of co-pending Application Serial No. 10/135,708. Applicant respectfully submits that the enclosed terminal disclaimer overcomes the Examiner's rejection.

C. Rejection of Claims 1 and 3 under 35 U.S.C. §§ 102(b) and 102(e)

The Examiner has rejected claims 1 and 3 under 35 U.S.C. § 102(b), as being anticipated by Fossum et al. (USPN 6,166,768), and further under 35 U.S.C. § 102(e), as being anticipated by Yadid-Pecht et al. (USPN 6,515,702). Applicant respectfully disagrees; however, in order to expedite the prosecution of the present application, applicant has amended claim 1 to include all of the limitations of claim 5. In view of the enclosed terminal disclaimer, applicant respectfully submits that claim 1, as amended to include all of the limitations of claim 5, is in condition for allowance. Further, claim 3 depends from claim 1, and should be allowed at least for the same reason claim 1 is allowable.

D. Rejection of Claims 6 and 7 under 35 U.S.C. § 103(a)

The Examiner has rejected claims 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Fossum or Yadid-Pecht in view of Gee et al. Applicant respectfully submits that claims 6 and 7 depend from claim 1, and at least for the same reasons stated above in conjunction with allowability of claim 1, claims 6 and 7 should also be allowed.

E. New Claims

By the present amendment, applicant has added new independent claim 31, which includes all of the limitations of original claims 1, 3 and 4. Applicant respectfully submits that in view of the enclosed terminal disclaimer, claim 31 is in condition for allowance.

Further, applicant has added new independent claim 32, which includes all of the limitations of original claims 1 and 8. Applicant respectfully submits that in view of the enclosed terminal disclaimer, claim 32 is in condition for allowance.

It is respectfully submitted that the original claims erroneously included two claims numbered as claim 21. By the present amendment, applicant has cancelled both claims 21. Further, applicant has added new claim 33, which corresponds to the first occurrence of claim 21, and has added new claim 34, which corresponds to the second occurrence of claim 21. Applicant respectfully submits that claims 33 and 34 are in condition for allowance.

F. Conclusion

For all the foregoing reasons, an early allowance of claims 1-4, 6-20 and 22-34 pending in the present application is respectfully requested. The Examiner is invited to contact the undersigned for any questions.

Respectfully Submitted;
FARJAMI & FARJAMI LLP

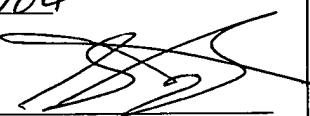


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